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# 32

## Let Taiwan Be Taiwan

### *The "Taiwan independence" debate gathers momentum*

During the past three months, a debate on the future of Taiwan, and particularly the Taiwan independence option, has burst out into the open in full force across the island. At street demonstrations attended by the tens of thousands, in public debates, newspaper articles and editorials, interpellations in the Legislative Yuan and discussions in living rooms from Keelung in the North to Pintung in the South, it has become the most hotly discussed issue in years.

The debate was sparked by the arrest, in early October 1987, of two leading figures in the **Formosan Political Prisoners Association**, Messrs. Tsai Yu-chuan and Hsu Tsao-teh. At the Association's inaugural meeting on 30 August 1987, the two had been instrumental in the adoption into the Association's charter of a clause that "... Taiwan should become independent" (see article on page 3).



"Everyone has the freedom to advocate independence"

## *Editorial: The Kuomintang's "fantasy island"*

In line with the anachronistic claim that they are still the rightful rulers of all of China, the Kuomintang authorities in Taipei have kept in place a political system of illusionary "fantasy island" quality. Governmental departments and legislative representatives for Mongolian, Tibetan and "Overseas Chinese" affairs are but examples of the fictional dreamworld in which the gerontocratic leaders in Taipei have encapsulated themselves.

They attempt to perpetuate this illusion by clinging to names like "China Airlines", participation in the Miss Universe beauty pageant under the "Miss China" name, and in international sports events under the incongruous "Chinese, Taipei" title.

The Kuomintang authorities maintain that they adhere to the "one-China" policy. Nothing could be further from the truth: by continuing to claim themselves to be the rightful government of China, they have pursued a de facto "two-China" policy, which has forced the international community to choose between China and Taiwan. They should — quietly and gradually — drop this claim. Then the international community could get accustomed to the reality that there is a de facto independent Taiwan, which wants to live — freely and democratically — in peace with all its neighbors.

The present debate on the status of Taiwan is primarily fueled by an increasing awareness on the part of the Taiwanese people that the island's major predicament — its international diplomatic isolation — is caused by the fact that the Kuomintang still claims to be the government of all of China. While during the past three decades the Communist regime in Peking gained in international stature, the Kuomintang drove itself deeper and deeper into isolation. The only way to reverse this process is to move towards a democratic political system on the island, which can in due time gain itself a rightful place among the international family of nations, and establish normal diplomatic relations with other nations, based on principles of mutual respect of sovereignty.

To the Taiwanese people, "unification" — as advocated by both the Peking and the Taipei authorities — would be more like a nightmare. Tibet is a most tragic lesson of what would happen if Taiwan were to be "reunited" with mainland China.

Until very recently any public discussion of the Taiwan independence option was taboo on the island. During the 1970's and early 1980's, the Kuomintang authorities arrested and imprisoned anyone discussing the issue openly, while in the 1950's and 1960's, persons suspected of supporting independence were often put in front of a firing squad.

The main argument used by the Kuomintang authorities against the idea of independence for Taiwan is that "... it would invite an attack by Peking." This argument is primarily a self-serving KMT scare-tactic, designed to maintain the undemocratic status quo on the island and to smother any discussion on the future of Taiwan.

It is clear that the present *status quo* is no alternative, only a dead-end street. The only viable formula for Taiwan is a free and democratic future, through a right combination of "democratization" and the "self-determination" advocated by the DPP-opposition.

On the following pages we present details of the most significant developments during the past three months. Interestingly the international press has not paid attention to these events yet. Instead, the foreign media have mainly focused on two other events — the visit of two **Independence Evening Post** reporters to China, and the possibility for old mainlander veterans to visit their relatives in China. These events are significant in their own right, but their importance is dwarfed by the present debate going on in Taiwan.

## Two Arrested for Advocating Independence

### *Test-case for free expression under new National Security Law*

On 12 October 1987, two leading members of the Formosan Political Prisoners Association (FPPA) were arrested for advocating Taiwan independence. They were taken into custody following a hearing before the Taiwan High Court. Mr. Tsai Yu-chuan and Mr. Hsu Tsao-teh were accused of violating the recently-passed National Security Law, which entered into force on 14 July 1987, replacing the 38- years' old martial law. The new law forbids advocacy of "division of the national territory." If convicted, they could face a minimum of 5 years in prison or a maximum of the death sentence, the penalty prescribed by the Statute for the Punishment of Rebellion. The arrests are seen as an attempt by the authorities to "warn the monkey by killing the chicken": they want to suppress the growing sentiment in favor of a fully free and democratic Taiwan, separate from China.



Mr. Tsai Yu-chuan

Mr. Tsai chaired the inaugural meeting of the FPPA on 30th August, at which Mr. Hsu initiated a motion to include a clause favoring Taiwan independence in the association's

charter. The FPPA was formed by 143 former political prisoners, many of whom were recently released.

Mr. Tsai, an ordained minister in the Presbyterian Church and an active member of the opposition DPP, was a prisoner of conscience adopted by Amnesty International. He spent almost five years in prison for harboring Mr. Shih Ming-teh, a prominent opposition leader who went into hiding following the “Kaohsiung Incident” of December 1979. Ever since he was released from prison in September 1984, he has been active in opposition politics again. Mr. Hsu Tsao-teh, 50, spent seven years in prison for advocating Taiwan independence in connection with the case of “The Association to Promote the Unity of Taiwan Youth” in 1967.

In a press conference on 29 September 1987, FPPA-leaders indicated that Messrs. Tsai and Hsu were exercising their right to free expression of political opinion, which is protected by the provisions of the Constitution. They said that charges of sedition are totally unwarranted as the two never advocated the use of any violent means to overthrow the government.

The arrest of the two will become a major test case: the KMT authorities will want to make a fist in the implementation of Article 2 of the National Security Law, and prevent a spread of the advocacy of Taiwan independence. The DPP will want to push on with its campaign to have freedom of expression and an open discussion on the issue.

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## **Rallying for Independence**

The arrests spurred a wave of demonstrations all over the island. Since mid-October, rallies in virtually all-major towns drew thousands of people into the streets, demanding the immediate release of Messrs. Tsai and Hsu, and chanting “We Taiwanese have the freedom to advocate Taiwan independence.”

On 30 October, a rally in support of Tsai Yu-chuan and Hsu Tsao-teh took place in Pan Chiao — a town a few miles to the Southwest of Taipei — drawing a crowd of several tens of thousands of people. DPP Chairman, Chiang Peng-chien led the parade from the DPP office in Pan Chiao to the town’s train station. The demonstrators wore headbands, saying “Independence to save Taiwan”, and shouted “We want independence”, and “We are Taiwanese, not Chinese.”

On 31 October 1987, the largest rally for independence took place in Taipei on the 101 birthday of Chiang Kai-shek. More than 30,000 people coming from the central and southern part of Taiwan, including Taichung, Tainan, Kaohsiung, Chia-yi, Yuan-lin, Chang-hua, I-Ian and Taitung paraded the center of Taipei. The four-mile long parade ended at midnight in Lung-shan Temple, with the crowd shouting: "Down with the KMT, we want independence."

There were several scuffles between the demonstrators and the police, who were videotaping the gathering. In one incident, a policeman was injured after being attacked by the demonstrators. DPP organizers had to come to his rescue.

Below you find the text of a leaflet distributed in Taiwan during the campaign of solidarity with Tsai Yu-chiu-an and Hsu Tsao-teh.

## *We Are Taiwanese, Not Chinese*

The Kuomintang says: "Taiwan cannot be separated from China, because Taiwan lacks the conditions to be a sovereign state."

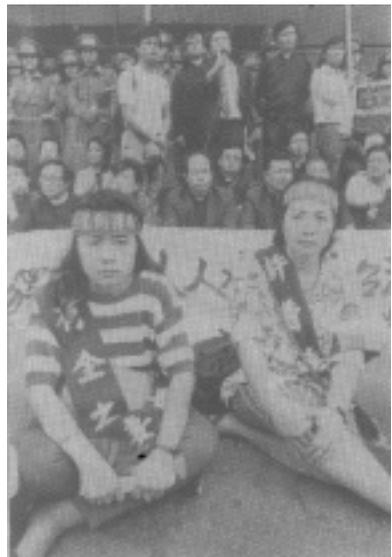
We want to tell the Kuomintang that Taiwan meets all the criteria of a sovereign state:

Taiwan's population of 19 million people exceeds that of more than 100 countries in the world.

Taiwan's foreign exchange reserve, in the amount of US\$70 bln., is the second largest in the world.

Taiwan's volume of trade is No. 15 in the world. The Gross National Product is No. 25 in the world. The Per Capita income is ten times that of China, the Kuomintang's "motherland."

If, with such abundant population, such industrious populace to create such an economic power, Taiwan is not qualified to be a sovereign state, then more than 100 countries, two-third of the countries in the world, should be erased from the world map.



**Mrs. Tsai (L) and Mrs. Hsu (R)  
demonstrating for their  
husbands' release**

## *The Presbyterian Church Takes to the Streets*

On 19 October 1987, the Presbyterian Church also joined in, organizing an unprecedented demonstration in Taipei to show their solidarity with Messrs. Tsai and Hsu. More than 400 members of the church participated, including 120 ministers.

DPP Chairman Chiang Peng-chien and Reverend Kao Chun-min, the general-secretary of the Presbyterian Church, and many elderly people, including Tsai's aging parents also took part in the demonstration.

Protesters carried placards and banners bearing the message "release Tsai and Hsu", "people have the freedom to advocate independence", "Advocating Taiwan independence is not a crime". Unfortunately the police's attempt to block the demonstration resulted in injuries to many demonstrators.

More than 400 riot policemen, wearing helmets and carrying shields blocked the four intersections near the Church Evangelical Center, which is located in a small alley on Roosevelt Road. The protesters who were prepared to march on the main road from the center after a short prayer at around 2 p.m., began to push and shove with the police in an attempt to break the barricade. The police battered the demonstrators with batons. Some protesters were trampled upon after falling to the ground.

The demonstrators succeeded in breaking the barricade and marched onto Roosevelt Road. The policemen went after them. A game of "cat and mouse" between police and demonstrators took place on the main road amid heavy traffic. After several clashes, the police finally agreed to let them march to the High Court.

The demonstration focused on the courageous Presbyterian Church, which has been in the forefront of the movement for human rights and democracy in Taiwan for many decades. Ten years ago it issued a statement calling on the KMT authorities to establish a "new and independent country." In an interview with **The Journalist**, Reverend Kao Chun-ming, General Secretary of the Church, discussed the purpose of the October 19 demonstration.

Q.: Is the purpose of the demonstration to show support for Mr. Tsai Yu-chuan?

Rev. Kao: That is the immediate reason. When one of our colleagues is in trouble, we have to come out to show our support. The main reason is to speak out for the right of

freedom of speech for the 19 million people of Taiwan.

Q.: The KMT authorities have until now tried to strangle freedom of speech. The Church did not speak out. Why did you choose to take action this time on the issue of Taiwan independence ?

Rev. Kao: Because this is the most sensitive issue. The government has gone to extraordinary lengths to stifle the voices of the advocates of Taiwan independence. But we think that the issue of independence is important in the discussion on the future of Taiwan. If the government continues to ban scholars or concerned citizens to discuss this issue, the consequence could be disastrous. We don't want to see this happen. That is why we speak out this time to stress that people have the freedom to advocate Taiwan independence.

Q.: Does it mean that the Presbyterian Church leans in the direction of Taiwan independence ? Is this issue so important that you are willing to take to the streets ?

Rev. Kao: Ten years ago, in our human rights declaration [issued on 16 August 1977 — Ed.], we urged the authorities to "... face reality and to take effective measures so that Taiwan can become a new and independent country." This was only a suggestion. We have no intention to overthrow the government by violent means. We merely asked the authorities to have courage and to use intelligence in adopting effective measures so that Taiwan can become "a new and independent country."

Q.: Could you explain the meaning of the term "a new and independent country ?"

Rev. Kao: What we meant by "a new country" is a society where justice prevails, where special privileges do not exist, and where no in-humane acts are committed. "Independence" means that Taiwan has a sovereign government, which is not a regional government of Communist China. Our country should command respectability as a political entity in the international community.

Our government often claims that it represents the people of all of China, but it also says that our population is 19 million. Because of such contradictions, it has become a laughing-stock internationally. We want the government to be honest and admit that it represents only the 19 million people of Taiwan. We don't want the government to lie to the people. We hope that by means of various reforms, a government will be established that is "by the people, of the people and for the people."

Ten years ago, when representatives from the U.S. government visited Peking, we predicted that U.S. was soon to establish ties with China and break diplomatic relations with us. Taiwan was facing a crisis because if we were not careful we could be sold out by the U. S. government. The claims by both Communist China and the Taiwan government that “Taiwan is part of China” gives a direct opening for such a sellout.

In 1977, we in the Presbyterian Church understood this crisis and we had the courage to point it out. We urged the government to establish “a new and independent country”, so that we and China can become two sister states. We can admit that we are related to the people on the mainland, because we are both of the Han Chinese race, but that does not mean that I have to become a citizen o Communist China !!

## Debate at National Taiwan University

On 27 October 1987, a major debate on the issues of self-determination and the future of Taiwan took place at the campus of National Taiwan University. The gathering was organized by the Student Union of the university, and was the first such debate in an academic setting. It marked a significant step forward in bringing political issues into the realm of student movement.

The two speakers were Mr. Hsieh Ch’ang-t’ing, a prominent member of DPP central standing committee and Mr. Li Sheng-feng, a KMT legislator. Mr. Hsieh known for his humor and quick-wit, is a charismatic public speaker. Mr. Li, formerly the chief propagandist for the KMT provincial headquarters is an opponent of self-determination. More than 4,000 students and the public filled the sports stadium to the brim. The three-and-a-half hour long debate was praised as open and frank by the Taipei-based weekly news magazine, **The Journalist**.

Messrs. Hsieh and Li opened the debate by giving a statement on their respective positions, then proceeded to answer each other’s questions. Four graduate students of the university were invited to pose questions to the participants. The following is a brief summary of the debate:

Mr. Li argued against self-determination. He said: “Proponents of self-determination argue that it can change Taiwan’s international status and it can prevent an invasion from Communist China. The first is based on the assumption that international relations can be changed; the second on the assumption of goodwill from Communist China. But the two assumptions simply do not exist. Chinese goodwill cannot be trusted. In internal relations, what counts is strength. Only strength gives the right to speak.”

Mr. Hsieh pointed out that “self-determination” — meaning that the future of Taiwan should be decided by the 19 million people of Taiwan — is a procedure, not an end-result. The outcome could be independence, reunification, one country two systems, etc. He said: “The people’s right to self-determination is enshrined in the Charter of the United Nations and other human rights conventions. If China would try to invade Taiwan, it would be an act of aggression. He emphasized that the purpose of self-determination is on two fronts; internally, the people want a democratic political system, and internationally, they seek a sovereign international identity. He cautioned that the KMT authorities’ opposition to self-determination is tantamount to pave the way for Communist China to “recover” Taiwan. reality

Mr. Li said that “self-determination” could provoke an invasion from China, because it denies that Taiwan is part of China. Also, all the countries which have diplomatic relations with China recognize the claim by Communist China that Taiwan is part of China [this is incorrect, only three countries — the Maldives, Guinea-Bissau and Niger — have formally recognized the PRC’s claims; all other nations have only taken note of or acknowledged these claims — Ed.]. He feared that no country would support Taiwan if the outcome of self-determination provokes an invasion from China.

Mr. Hsieh said, when Taiwan withdrew from the United Nations, many countries, including the United States, the United Kingdom and Saudi Arabia, spoke out for self-determination for the people of Taiwan, because they did not want to see Taiwan being devoured by Communist China. The principal obstacle to self-determination comes from KMT authorities themselves. Once the outcome of self-determination removes the myth [that it is the rightful government of all of China] they will not be able to continue their dominance in Taiwan.

He said that no country has ever expressed any opposition to the principle of self-determination for Taiwan, but many countries — including those that have diplomatic relation with Taiwan — have said that the KMT government does not represent China.

In reply to Mr. Li’s hypothesis that self-determination might provoke an invasion from China, Mr. Hsieh said: “The most important aspect in the discussion on the future of Taiwan is to seek a viable solution that is in the best interest of the people of Taiwan. [If we are worried that an independence outcome of self-determination] will provoke an invasion from China, we are essentially saying that the survival of Taiwan depends on the whims of China. Are we going to let China decide the future of Taiwan ? Of course not !!”

Mr. Li did not answer Mr. Hsieh's questions on how the KMT authorities are going to reunify China by means of the so-called "Three Principles of the People." Mr. Hsieh raised the following questions: "how long will it take for these Three Principles of the People to reunify China? What are the concrete steps to be taken to achieve this goal? During this period, how do we safeguard the security of Taiwan? If China wants to "recover" Taiwan, which international law says it cannot do so?"

With regard to the future of Taiwan, Mr. Hsieh said he could accept any outcome that is a result of true self-determination. He is opposed to KMT authorities' imposing "reunification" as a foregone conclusion that cannot be questioned, and that must be accepted by all the people of Taiwan. He is against secret negotiations between the KMT authorities and the Communist regime, and he said negotiating with China could take place only under three conditions:

1. Taiwan sends representatives who can truly speak for the people of Taiwan;
2. Both sides at the negotiations are fully on equal footing;
3. Negotiations can only take place after China has renounced the use of force against Taiwan.

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## The DPP holds Its second annual convention

On the 9th and 10th of November 1987, the Democratic Progressive Party (DPP) held its second annual convention in Taipei. The meeting ended successfully in spite of scuffles at the beginning of the gathering. Human rights lawyer Yao Chia-wen was elected the new chairman, succeeding lawyer Chiang Peng-chien whose steady hand at the helm kept the party together during its first year of existence. The Convention also elected a new Central Standing Committee.

A major point of debate during the meeting was a proposal to include a clause that "the people have the freedom to advocate independence" in the DPP-party platform. The proposal was originally submitted by the "young generation" of the party, a group of writers and editors the **Hsin Chao-liu** magazine. It was initially endorsed by approximately 100 delegates. However, the "mainstream" members of the central standing committee lobbied against inclusion in the party-platform, because they were apprehensive that this would aggravate internal disputes in the party, and also further antagonize the KMT authorities. To diffuse the tension, a compromise proposal was reached: a resolution declaring that "the people have the freedom to advocate independence" was adopted by the convention.

In the beginning of the gathering a scuffle broke out between Mr. Chu Kao-cheng, a DPP Legislator, and Mr. Cheng Nan-jung, the outspoken chief editor of opposition magazine Freedom Era on the first day of the convention. Mr. Cheng slapped Mr. Chu in the face when the latter criticized Mr. Cheng for attempting to influence the course of debate on the new proposal by distributing copies of “Outlook for Taiwan independence”, a book published by Mr. Cheng. According to some reports, Mr. Chu then threw a chair at Mr. Cheng, causing injury to his head.



**Outgoing chairman Chiang Peng-chien (R) congratulating incoming chairman Yao Chia-wen (R)**

A surprise move was the resignation of all members of the **Hsin Chao-liu** group from key party positions. This paved the way for the inclusion of a number of opposition-members closely associated with Mrs. Hsi! Jung-shu and elderly opposition-leader Huang Hsin-chieh in both the 31-member Central Executive Committee and the 11-member Central Standing Committee. This “Formosa” group — named after the Formosa magazine, which organized the 1979 Human Rights demonstration in Kaohsiung — captured 14 seats in the Central Executive Committee, and 5 seats in the Central Standing Committee.

The new composition of the Central Standing Committee is as follows: Legislative Yuan-members Fei Hsi-ping, Kang Ning-hsiang, You Ch’ing, Mrs. Hsu Jung-shu, and Chu Kao-cheng; writer Chang Fu-chung, Provincial Assembly-member Yu Hsi-kun, Kaohsiung County Magistrate Mrs. Yu Chen Yueh-ying, Taipei City Council-members Hsieh Ch’ang-t’ing and lawyers Yao Chia-wen and Chen Shui-pien.

In the vote for the Chairmanship by the Central Executive Committee, Mr. Yao Chia-wen received 17 votes, while 13 votes were cast for Mrs. Hsu Jung-shu. One vote was nullified. Mr. Yao's moderate image and his high reputation as a human rights lawyer has earned him respect at home and abroad. He will be a unifying force, observers believe, in the DPP, which has been plagued by internal disputes.

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## **Further Restrictive Legislation**

### ***New law on assembly and association***

In an effort to stem the increasing flow of demonstrators taking to the streets of Taiwan after the end of martial law, the KMT authorities made public, in July 1987, the draft of a new law on assembly and association. The draft's stringent restrictions have come under strong attack by the opposition DPP legislators, who argued that the bill in essence deprives the people of their freedom of assembly by imposing highly unreasonable restrictions and heavy penalties.

Another major criticism is that the bill empowers police authorities to grant and deny permission to hold a public meeting. Scholars fear such expansion of police powers would easily lead to abuses, and would impinge on the people's freedom to hold assemblies.

DPP legislators proposed several revisions minimize its restrictions:

1. They argued against incorporation of the three "principles" from the second article of National Security Law — which stipulates that protesters must not "violate the Constitution or advocate communism or the division of national territory", because such vaguely defined political ideology could cause confusion and difficulty in the implementation of the law.
2. Organizers of a demonstration should only be required to notify the police of their plan, instead of having to seek prior police approval.
3. Compensation liabilities on organizers of demonstration should be removed.
4. DPP legislators argued that the bill banning demonstrators from the proximity of all public buildings is too restrictive. They proposed that, except for the presidential building and the Supreme Court, all public buildings — especially executive and legislative buildings — should remain accessible so demonstrators could go there and express their opinion.

On 28 October 1987, a major conflict erupted when KMT legislators decided to cut short a debate on the 6th article — which stipulates that all public buildings are off-limits to demonstrators — and called a vote on the bill in a joint meeting of the three committees of internal affairs, judiciary and national defense. Four DPP legislators, Chu Kao-cheng, You Ching, Wang Yi-hsiung and Chlu Lien-hui staged a sit-down protest on top of the speaker's table before they walked out.

On 6 November 1987, when the KMT-dominated Legislative Yuan voted in support of a motion to punish the four DPP legislators by submitting their cases to a disciplinary committee for disturbing proceedings of the assembly on 28 October 1987, ten DPP legislators again staged a protest at the podium and displayed two banners, which read “we protest against the KMT's use of violence by majority vote,” and “we strongly advocate general election of national legislature.” The DPP legislators then walked out and joined the crowd outside the legislative building in protest of the resolution to punish the four DPP legislators. More than 500 supporters of DPP, angered by the resolution, blocked the gates of the legislative building and angrily shouted at aging “life members”, who attempted to leave the building.

The committee on discipline is responsible for decorum of legislators and for proposing disciplinary measures. One of the heaviest penalties is to bar legislators from attending the session. If that happens to the four DPP legislators, observers believe the more outspoken “young generation” in the DPP might argue in favor of taking to the streets, escalating the conflicts.

## *Law governing the formation of new parties*

When, on 7 October 1986 — in an interview with Mrs. Katharine Graham of the Washington Post — President Chiang Ching-kuo announced his new liberalization policy, he mentioned two specific points: 1) the lifting of martial law, and 2) the legalization of new political parties. As is generally known, martial law was lifted in July 1987 and replaced by a new National Security Law (see Taiwan Communiqué no. 31). However, the Kuomintang authorities have been dragging their feet on the formal legalization of new political parties.

Although the newly-formed Democratic Progressive Party — which was established on 28 September 1986 (prompting Chiang Ching-kuo's announcement) — has been allowed to function, and at least two small splinter parties were also set up in the meantime, the authorities have not taken any decisive steps in the direction of a truly multi-party system.

On February 7, 1987, the Ministry of Interior made public a draft revision of the “Statute for Formation of Civic Organizations during the Period of Communist Rebellion” (the title says a lot about the siege-mentality of the Kuomintang — Ed.). The draft gave the Ministry of Interior sweeping powers to refuse registration or to disband new political parties, if the party platform fails to “uphold the Constitution,” or “advocates Communism or dividing the national territory.” Penalties included a maximum of a two-year prison term for the chairman of an unsanctioned political party or a maximum of NT\$60,000 fine.

The DPP leaders protested that such legislation would violate the freedom of association enshrined in the Constitution. The proposal was to be submitted to the Executive Yuan for approval in the beginning of March, but it was delayed when the discussion on the National Security law started to attract all attention.

On 5 November 1987, the Executive Yuan approved a draft of the bill and sent it to the Legislative Yuan for approval. The draft requires new parties to request approval from the Ministry of Interior for their establishment. The draft also includes a requirement that political parties must 11 ... uphold the Constitution, and must not violate the anti-Communist policy nor advocate the division of the national territory.” This last clause will undoubtedly become the major point of debate between the Kuomintang and the DPP-opposition when this matter comes up for discussion in the Legislative Yuan.

On 13 November 1987, opposition legislators staged a walkout in the Legislative Yuan in an attempt to prevent the draft of the bill from being discussed in the Interior and Justice committees. They stated it should be sent back to the Executive Yuan for redrafting.

## Fossils in the Legislature

### *Old legislators sometimes die*

A major hurdle on the road to democracy in Taiwan still remains in place: the fossilized political structure which the Chinese Nationalists brought over from the mainland, giving the Kuomintang a built-in advantage over the — primarily native Taiwanese — opposition (the native Taiwanese constitute 85 percent of the island’s population). The three national-level legislative bodies, the “Legislative Yuan” (equivalent to the British House of Commons), and the “National Assembly” (equivalent to the House of

Lords), and the "Control Yuan" still mainly consist of old mainlanders, who were elected on the Chinese mainland in 1947 (see statistical overview below).

	LEGISLATIVE YUAN	NATIONAL ASSEMBLY	CONTROL YUAN
Elected directly by the people in Taiwan:	54	57	--
(S)elected from:			
Professional groups:	16	16	--
Women's groups:	--	7	--
Aborigines:	2	2	--
"Fukien Province":	1	2	--
Elected indirectly via Provincial Assembly and City Councils:	--	--	22
Total number of seats contested in Taiwan:	73	84	22
Appointed from over- seas Chinese groups	27	--	10
Old "Permanent members", remaining from 1947	215	527	36
"Selected alternate delegates" Appointed since 1947	--	343	--
<u>TOTAL PRESENT MEMBERSHIP</u>	315	954	68
Percentage elected directly by the people on Taiwan	17.1 %	6.0 %	0.0 %

Not unexpectedly the legislature had become a dormant body, reduced to rubber-stamping government policy. This situation started to change in the late 1970's and early 1980's with the election of a number of "tangwai" ("outside-the-party") politicians, who increasingly started to question the rigid Kuomintang policy and structures. The situation changed dramatically in December 1986, when the newly-formed opposition party, the Democratic Progressive party (DPP) was able to get 12 of their candidates elected to the Legislative Yuan to make a fist.

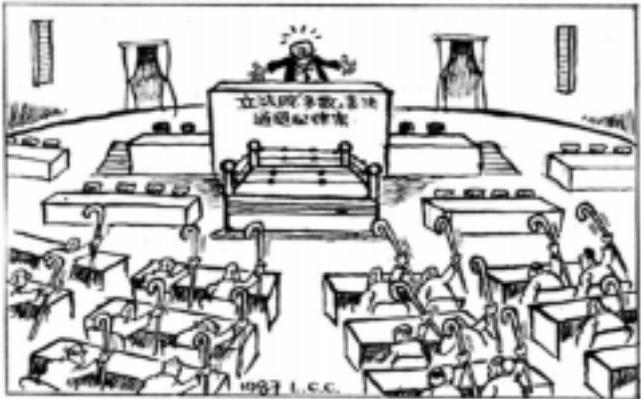
If one would want to compute the overall representativeness of these three legislative bodies, one could add the number of representatives elected directly by the people on Taiwan (54 + 57 + 0 = 111) and divide this by the total membership (315 + 954 + 69 = 1338). This results in an "overall representativeness score" of 8.3 %. Thus, presently only 8.3 % of the representatives in national-level bodies are elected directly by the people in Taiwan.

## *Run for Democracy*

In an effort to put pressure on the Kuomintang to change the legislative system the DPP launched a campaign for general elections for all seats in the three national legislative bodies. Large rallies were held around the island to call for the retirement of the “permanent legislators”. The gatherings drew an enthusiastic attendance.

In the Legislative Yuan, the DPP-legislators increasingly questioned the legitimacy of the old mainlanders, presence in the legislature, asking them: “where is your constituency ? When did you run for office ?” They also questioned the membership of the legislature of “overseas Chinese” legislators — Kuomintang-faithful from the Chinese communities in other parts of the world, who were appointed by the Kuomintang. Many of these draw a handsome salary from Taipei, but rarely are present in Taiwan to attend legislative sessions.

One DPP-legislator, Mr. Chu Kao-cheng, a German-trained lawyer with a Ph.D., from the University of Bonn, has made the overhaul of the legislature his personal crusade, and has enlivened the normally staid legislative meetings with boisterous interpellations. Often these degenerated into scuffles and fistfights with KMT-legislators on one occasion because an old legislator started to hit Mr. Chu over the head with his cane, prompting the DPP to make a motion to ban canes (and their owners) from the Legislative chambers.



**Too many canes in the Legislature**

In the meantime, the Washington-based Formosan Association for Public Affairs (FAPA) initiated a campaign to focus American and international attention on the lack of democracy in Taiwan. On 31 October 1987, a “torch for democracy” was lit at the Statue of Liberty in New York. Runners carried the torch through New Jersey, Pennsylvania, and Maryland before it reached Washington D.C. on November 3rd.

Members of the U.S. Congress, several opposition leaders from Taiwan, and several hundred Taiwanese-Americans greeted FAPA Executive Director Trong R. Chai as he brought the torch to the steps of the U.S. Capitol. Speakers at the press conference and rally included Senator Claiborne Pell (the Democratic chairman of the Senate Foreign Relations Committee), his colleagues Edward M. Kennedy (D — Mass) and Frank Lautenberg (D — New Jersey), and Congressmen Stephen J. Solarz (D — NY), Jim Leach (R — Iowa), and Donald J. Pease (D — Ohio). They called for general parliamentary elections in Taiwan.

The torch then traveled to other cities for ceremonies organized by the Taiwanese American community. On November 14th, Mr. Chang Chun-hung — a prominent opposition politician who was released from prison on May 30 (after 7 years of imprisonment) — attempted to bring the torch into Taiwan, where it was to be the focus of public rallies around the island. However, police authorities confiscated the torch at Taoyuan International Airport, saying it was “a dangerous item” and stating that the run for democracy would “endanger public security and interrupt traffic.”

A crowd of several thousand opposition supporters — who had gone to the airport to welcome Mr. Chang and the torch — was kept at a distance of some two kilometers from the airport by a massive deployment of some 4,000 riot troops behind barbed-wire barricades. Chang’s wife — Legislative Yuan-member Hsu Jung-shu — had been able to reach the airport terminal building, but was prevented by police in riot gear from welcoming her husband.

However, the “run for democracy” campaign could not be stopped: between 14 and 22 November 1987, mass rallies were held at 12 locations around the island, all aimed at pressuring the Kuomintang to retire old mainland legislators and holding *general* elections. On 22 November 1987, they culminated in a run with a torch through Taipei, in which many major opposition leaders took part.

## *General Elections...or, Maybe Not ?*

In view of the increasingly rapid decrease of the number of “permanent legislators” — who are presently dying at an average rate of close to 50 per year in the National Assembly and approximately a dozen per year in the Legislative Yuan — and in response to the mounting pressure for general elections, the Kuomintang authorities started in mid-1986 to discuss various proposals to revamp the legislative system. In the beginning of November 1987, reports in the press in Taiwan indicated the

Kuomintang plans were converging towards the following four “principles”:

1. The current parliamentary structure will be maintained, and thus no general elections will be held;
2. Old parliamentarians elected in 1947 will continue in their functions, but a limited retirement system will be set up for those who have either failed to attend meetings for years or who are incapacitated because of sickness or old age. However, the system of appointed “alternate members” in the National Assembly will be abolished;
3. The number of “supplementary seats” (for representatives from Taiwan) will be increased. Reports circulating in Taiwan indicated that the increase could be approximately 85 seats in the Legislative Yuan, 170 seats in the National Assembly, and 35 in the Control Yuan.
4. A “national constituency system” will be set up to select mainland representatives according to the percentage of votes gained by the various political parties recognized by the authorities.

While this plan contains a number of positive elements, it falls far short of general elections. DPP-legislators — and even a number of their moderate reform-minded KMT-colleagues — called for the retirement of all legislators elected in 1947 and strongly questioned the “national constituency” system. In an interpellation on October 26, Legislator Huang Chu-wen, one of the KMT-reformists, asked: “How can legislators elected on Taiwan represent the people of mainland China ? How are they to be elected or selected ?” The opposition DPP and many scholars argued that, no matter how the new mainland representatives are elected, they simply do not represent China, and this set-up thus violates the principle of democratic representation. They urged that all the seats in the legislative bodies be open for election in Taiwan.

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## Tibetan lessons for Taiwan

During a few brief weeks in early October 1987, the international press paid broad attention to the developments in Tibet. Led by Buddhist monks in orange robes, people in Lhasa took to the streets to protests China’s repressive rule, which started in 1950 when the newly established People’s Republic of China invaded Tibet. After the 1950

annexation, the rulers in Peking promised the Tibetans a large degree of autonomy. It was to be essentially a “one country, two systems” agreement — not unlike the Sino-British Joint Declaration on Hong Kong. Under the terms of this agreement, Tibet was to retain its political system, and the Chinese promised not to interfere in local affairs, religious beliefs and customs.

Within a decade this proved to be — in the words of an editorial in the New York Times — “a cruel fiction”: after an uprising against Chinese repressive measures, the Communist army brutally suppressed the Tibetans. Some 1.2 million people — one-sixth of the population — were killed. More than 6,000 Buddhist monasteries were destroyed. In the years that followed, devastation continued: during the Cultural Revolution, some 60 % of Tibet’s voluminous philosophic, historical and biographical literature was burned, and many more Tibetans were killed or subjected to severe repression.

The situation turned slightly for the better in the early 1980’s, when a new Chinese leadership acknowledged that “some” mistakes had been made. Led by CCP Party Secretary Hu Yaobang, a process of conciliation was started, temples were rebuilt, road and public work construction increased. However, the tight political control remained, and any open call for more democracy — let alone Tibetan independence — was harshly repressed.

The response of the leaders in Peking to the recent developments — sealing Lhasa off from the outside world — is to the people in Taiwan a most glaring example of what could happen to Taiwan if they give in to the “peaceful reunification” overtures and would subject themselves to the “one country, two systems” myth, which the Peking authorities so effectively employed to fool the British in the case of Hong Kong.

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## **Environmental pollution issue heats up**

In October, a violent clash between anti-pollution protesters and policemen in front of the Legislative Yuan in Taipei left scores of policemen and demonstrators injured. The incident underscores Taiwan residents’ growing awareness of environmental pollution and their determination to fight for their right to a clean environment.

On October 20, 1987, more than 400 residents from Hou-ching, mostly illiterate elderly farmers, arrived in Taipei in ten tourist buses after five hours bus ride from Kaohsiung.

They demonstrated in front of the Legislative Yuan to protest the construction of a fifth naphtha cracking plant by the state-owned Chinese Petroleum Corporation near their homes. The peaceful demonstration ended in clashes with the police after the police refused to release two elderly protesters who were taken into custody.

Hou-ching, a farming community of 20,000 residents in Kaohsiung county, is the site of a sprawling refinery complex of the state-owned Chinese Petroleum Corporation (CPC). The air there reeks of the stink of chemicals, a reporter from the Independence Evening Post, who paid a visit there, wrote. Residents complain that pollution emanating from the refinery has killed their crop and livestock. The noise from the refinery at night prevents them from getting a good night's sleep. Many children and adults too suffer from respiratory problems.



#### **Elderly protester in tears**

Since the CPC made public its plan to build a fifth naphtha cracking plant, residents of Hou-ching have petitioned repeatedly to CPC and to the Ministry of Economic Affairs to stop the new project. They feared that the new plant would further pollute their environment. After their petitions failed to get any response from the authorities, the residents resorted to “self-help” action. Since July 1987, they have blocked the west gate of the refinery in an attempt to close it down.

When a KMT legislator, in an interpellation on 13 October 1987, accused the Hou-ching anti-pollution protesters of being “a mob” and asked the authorities to crack down on them, they decided to take their case to Taipei.

On 20 October 1987, after arrival in Taipei, they first held a peaceful demonstration at the Environmental Protection Administration, where they met Eugene Y. H. Chien, the new EPA chairman, who promised to look into the problem.

The demonstration in front of the Legislative Yuan began peacefully. After an inaccurate report that two women, who went inside the legislative building to use the restroom, were detained, the crowd began to push into the legislature. The demonstrators wielding flagpoles and placards and the police wielding batons and shields began to beat each other.

The Independence Evening Post reported that the police was ruthless against the elderly protesters. A reporter witnessed ten policemen dragging an elderly woman, and she was slapped in the face. One man who came to her rescue was injured after being beaten and kicked by the police. Police arrested a 51-year-old farmer and a 63-year-old elderly woman in the fracas.

After the police reneged a promise to release the two protesters, the demonstrators, now assisted by DPP legislator Chu Kao-cheng, blocked all the gates of the legislative building. They hoped to bring the arrest to the attention of Premier Yu Kuo-hwa, and other high government officials, who were about to depart the legislature after a day of interpellations. Premier Yu left by a side door under police protection.

The blockade was broken up around 7:15 p.m., when policemen aided by 16 members of the police “thunderbolt unit” charged into the crowd. The protesters, who were caught off-guard, scurried for cover. Meanwhile, a score of limousines, carrying high officials sped off.

The setback in Taipei did not dampen the determination of the residents of Hou-ching to continue their efforts to oppose the construction of CPC’s new plant. On October 21, 1987, one day after clashing with riot police outside the legislature building in Taipei, hundreds of protesters blocked the north entrance to the Kaohsiung refinery of the Chinese Petroleum Corp.

The KMT authorities have threatened to arrest more people, if the protesters do not withdraw from the entrance of the refinery. The residents of Hou-ching are just as determined to continue their fight to stop the construction of the new plant.

The two elderly protesters, who were arrested by the police at the scene of conflict, told reporters: “We strongly oppose the construction of the new plant”, even when they were being led away by the police. Later they admonished their children during a prison visit, “Do not use our release as the condition to give up the fight.”

Hou-ching residents interviewed by the Independence Evening Post told reporters: “We believe in self-help action, because it brings improvement.” It was reported that CPC officials were planning to increase their budget earmarked for pollution control from NT\$ 1.1 billion to 6 billion.

# Report From Washington

By Marc J. Cohen, Washington correspondent

## *Resolutions on the lack of democracy in Taiwan*

During the summer and fall of 1987, the Washington foreign policy community has repeatedly turned its attention to Taiwan. While the Kuomintang authorities on the island have received broad attention when they finally lifted martial law, members of Congress and human rights organizations remain concerned about continuing political trials, restrictions on civil liberties and labor rights, and undemocratic government institutions.

As we noted in Taiwan Communiqué no.'s 30 and 31, in June 1987, the U.S. House of Representatives passed an amendment to the State Department Authorization Bill calling for sustained progress "towards a fully democratic system of government on Taiwan." In October 1987, the Senate approved a somewhat different amendment, urging democratization on Taiwan, sponsored by Senator Frank Murkowski (Rep. — Alaska), the ranking minority party Senator on the Foreign Relations East Asia Subcommittee. In its operative "sense of the Congress" section, the amendment:

- (1) .... welcomes the democratic trends emerging in Taiwan and commends the progress that has been made recently in advancing democratic institutions and values;
- (2) .... encourages the leaders and peoples of Taiwan to continue this process with the aim of consolidating fully democratic institutions; and
- (3) .... requests American representatives to convey this nation's continuing support for a free and prosperous Taiwan as stated in the Taiwan Relations Act and our encouragement for democracy to the leaders and the people of Taiwan."

***Taiwan Communiqué comment:*** *In contrast to the even-handed House version, the Senate amendment makes no reference to the important role played by the democratic opposition, the DPP, in the development of democracy. Also absent is any mention of the continued lack of freedom of speech, expression, and assembly, or the need for free and fair elections for all central representative bodies. Without these elements, democracy is just an empty phrase. The Murkowski amendment also speaks of the recent release of detainees, but fails to note that more than three dozen persons remain in prison on political grounds.*

As this issue went to press, a Senate-House Conference Committee was attempting to resolve the numerous differences between the two versions of the Authorization Bill. According to a source familiar with these discussions, it appears likely that the final compromise version will contain the stronger House version of the amendment on democracy in Taiwan.

## *Concern about political arrests*

Meanwhile, members of Congress have expressed concern over recent cases of political persecution. The Congressional Friends of Human Rights Monitors, a group established to prevent the harassment and persecution of foreign human rights advocates, has written the Taiwan authorities about the indictment of Mr. Hsieh Ch'ang-t'ing and two other prominent DPP-members in connection with the "June 12 incident" (see *Taiwan Communiqué* no. 31). Hsieh, a DPP leader and member of the Taipei City Council, is one of Taiwan's leading human rights lawyers. The Monitors group is co-chaired by several prominent Senators and Congressmen, among whom Senators Daniel Moynihan (Democrat, New York) and David Durenberger (Republican, Minnesota).

Other members of Congress have contacted the Taiwan authorities about this case and about the arrest of two leading members of the Formosan Political Prisoners' Association (see our article on page 3). In both instances, U.S. legislators have urged the Taiwan authorities to allow the expression of dissenting views, however much the government may dislike those views, since both international law and the KMT's own Constitution protect freedom of expression.

## *Trade issues and labor rights*

Elsewhere in Washington, the Reagan Administration's Trade Policy Staff Committee held hearings in early October 1987 to consider challenges to Taiwan's eligibility to participate in the Generalized System of Preferences (GSP), which permits duty-free exports to the United States. For the last six years, Taiwan has been the leading GSP beneficiary country.

According to U.S. law, foreign governments which fail to take steps to afford workers internationally recognized labor rights, may not participate in the GSP. In *Taiwan Communiqué* no. 30, we discussed the Taiwan government's egregious failure to uphold labor rights. Organizations testifying about rights abuses on Taiwan included

major American labor organizations, such as the 13 million member American Federation of Labor — Congress of Industrial Organizations (AFL-CIO), and human rights organizations such as Asia Watch — which will soon release a comprehensive report on human rights in Taiwan — and the Asia Resource Center.

## *The Kuomintang's Contra connection*

According to recent U.S. government and press reports earlier this year, and a Congressional investigation, the KMT authorities on Taiwan were involved in the so-called Iran-Contra affair.

A board headed by former Senator John Tower (Republican, Texas) reported on the role of the U.S. National Security Council in selling arms to Iran and diverting some of the profits to Nicaraguan counter-revolutionaries. The Tower Report noted that several foreign governments were asked to contribute to the rebels during the period in which the U.S. Congress forbade official U.S. assistance.

Ex-General John Singlaub, who was forced to retire from the military for attacking President Carter's proposed withdrawal of troops from South Korea, agreed to assist the "contras" through his involvement in the World Anti-Communist League (WACL), an organization headquartered in Taipei, and in which the KMT has long played a prominent role. In Latin America, this group has spearheaded the creation of private right-wing death squads, and is known for its extreme anti-Semitism.

The Tower board said that Singlaub solicited a donation to the Contras from the Washington "interest section" of an unnamed "Asian" country. The only Asian "interest section," or unofficial embassy, in the United States is the KMT's "Coordination Council for North American Affairs." The report goes on to state that although Singlaub was unsuccessful, the Contras did receive funds from the Taiwan government.

Subsequently, witnesses informed the U.S. Congressional committees investigating the arms-for-hostages scandal that a donation to the Contras of U.S.\$ 2 million had come from "Country three", i.e. Taiwan. Assistant Secretary of State for East Asia, Gaston Sigur, told the investigating committees that he had approached Taiwan government officials for this aid. At the time, Sigur was a colleague of Lt. Col. Oliver North on the National Security Council Staff.

Witnesses also indicated that Elliot Abrams played a role in soliciting donations from Taiwan. Currently Assistant Secretary of State for Inter-American Affairs, Abrams previously served as the State Department's Human Rights chief, and was briefly in charge of International Organizations matters.

Congressman Ed Jenkins (D, Georgia) a member of the House of Representatives Iran-Contra investigating committee, charged that the U.S. Administration promised the KMT authorities that it would lobby against Jenkins' efforts to impose quota's on textile imports from Taiwan in exchange for aid to the Contra's.

For their part, Kuomintang government officials in Taipei were forced to drop their earlier denials that the KMT regime had aided the Nicaraguan counter-revolutionaries after the congressional committee revelations. However, they continued to insist that the contributions came from private rather than government funds.

***Taiwan Communiqué comment:** it is simply flabbergasting that the Reagan administration, which has so vociferously reiterated its opposition against "state-sponsored terrorism", would use favorable treatment on trade matters to enlist support for terrorists and drug smugglers. The terrorist activities of the Contra's are amply documented, and include deliberate destruction of medical clinics, murders of medical personnel, and the use of the Red Cross emblem as cover for military activities.*

It is also interesting to note that "Country Three" made its donations during the summer of 1985, at a time when U.S.-Taiwan relations were at a low ebb over the involvement of top Taiwan military intelligence officials in the murder of Mr. Henry Liu, a Chinese-American writer who had written a critical biography of President Chiang Ching-kuo (see **Taiwan Communiqué** no. 18 through 20).

The **New York Times** reported that the KMT authorities also worked the other end of the scandal — shipping weapons to Iran. The Chinese Communists, the KMT's arch-enemies, also helped arm both the Iranians and the Contra's. The **Far Eastern Economic Review** reported on 9 July 1987 that, ironically, the Taiwan authorities contributed into a fund out of which Peking's arms supplies to Contra's were being paid.